

## JOURNAL OF THE HOUSE.

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Thursday, September 2, 2004.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Spellane of Worcester in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

God of Forgiveness and Truth, we place our trust and confidence in You and in Your personal concern for our total well-being. You have created us with an intellect which enables us to think, a will to make choices and a final goal to reach. The celebration of Labor Day reminds us of the dignity of human labor and of each person whom You have created in Your likeness. In these changing, perhaps dangerous, times of new economic and employment realities, inspire us- labor, management and government- to plan for the future of our children and our nation. Help us to recognize and utilize prudently our human and spiritual resources, so that all will enjoy economic prosperity and a secure future.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

At the request of the Chair (Mr. Spellane), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

### *Resolutions.*

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Mr. Hall of Westford) honoring the seventeenth national reunion of the veteran seamen of the U.S.S. Altamaha;

Resolutions (filed by Ms. Kaprielian of Watertown) congratulating Norma M. Karaian on the occasion of her one hundredth birthday;

Resolutions (filed by Mrs. Poirier of North Attleborough) urging increased awareness of Adhesions Related Disorder (ARD);

Resolutions (filed by Mrs. Poirier of North Attleborough) congratulating Sacred Heart Church of North Attleborough on the occasion of its one hundredth anniversary;

Resolutions (filed by Mr. Ruane of Salem) honoring William J. Harrison, Jr.; and

Resolutions (filed by Representatives Spilka of Ashland and Blumer of Framingham) honoring Nancy Morse;

Mr. Scaccia of Boston, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Lepper of Attleboro, the resolutions (reported by the committee on Bills in the

Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

*Petitions.*

Revere,  
Michael  
Stuart.

Mr. DeLeo of Winthrop presented a petition (accompanied by bill, House, No. 5072) of Robert A. DeLeo, Kathi-Anne Reinstein, Robert E. Travaglini and another (with the approval of the mayor and city council) for legislation to authorize the reinstatement of Michael Stuart as a fire fighter in the city of Revere; and the same was referred to the committee on Public Service. Sent to the Senate for concurrence.

Mary Jane  
Simmons.

Mr. Finneran of Boston presented a petition (subject to Joint Rule 12) of Thomas M. Finneran for payment from the state treasury to the estate of the late Mary Jane Simmons of Leominster the salary to which she would have been entitled had she served until the end of the term for which she was elected; and the same was referred, under Rule 24, to the committee on Rules.

*Papers from the Senate.*

Plymouth,  
economic  
development  
fund.

A Bill relative to the creation of an economic development fund in the town of Plymouth (Senate, No. 2390) (on a petition) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Plymouth,  
by-laws.

A petition (accompanied by bill, Senate, No. 2481) of Therese Murray, Thomas J. O'Brien and Viriato Manuel deMacedo (by vote of the town) for legislation relative to the by-laws of the town of Plymouth, was referred, in concurrence, to the committee on Local Affairs and Regional Government.

Lynn,  
9/11 memorial  
intersection.

A petition of Thomas M. McGee, Robert F. Fennell, Mark V. Falzone, Steven Myles Walsh and other members of the General Court for legislation to designate a memorial name to an intersection in Lynn, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Transportation.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2483) was referred, in concurrence, to the committee on Transportation.

*Reports of Committees.*

Springfield,  
water and  
sewer.

By Mr. Scaccia of Boston, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of William Smitty Pignatelli and Michael R. Knapik relative to authorizing the water and sewer commission of the city of Springfield to convey certain land. Under suspension of the rules, on motion of Mr. Donato of Medford, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee

on State Administration. Sent to the Senate for concurrence. Engrossed Bills.

*Engrossed bills*

Relative to the Development and Industrial Commission of the town of Oxford (see Senate, No. 2188) (which originated in the Senate); and

Relative to fair contracts (see House, No. 1383) (which originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

*Orders of the Day.*

The Senate Bill establishing a sick leave bank for Thomas F. Sweeney, Jr., an employee of the Department of Correction (Senate, No. 2333, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence.

*House bills*

Relative to the charter of the city of Lawrence (House, No. 4959) (its title having been changed by the committee on Bills in the Third Reading); and

Establishing a sick leave bank for Linda J. Magno, an employee of the Department of Mental Retardation (House, No. 5031);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

The House Bill relative to the appointment of retired police officers in the town of Canton (House, No. 4858) was read a second time; and it was ordered to a third reading.

Mr. Donato of Medford being in the Chair,— the engrossed Bill relative to MBTA infrastructure renovation fund (see House, No. 5059), being a printed copy of Section 104 contained in the engrossed Bill modernizing the transportation system of the Commonwealth (House, No. 4771, amended), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment C of House, No. 5056), was considered.

The committee on Bills in the Third Reading reported recommending that the amendment recommended by the Governor be considered in the following form:

By striking out all after the enacting clause and inserting in place thereof the following:

“SECTION 1. Sections 98 and 103 of chapter 236 of the acts of 2000 are hereby repealed.

Bills  
enacted.

Third  
reading  
bill.

Third  
reading  
bills.

Second  
reading  
bill.

MBTA  
renovation  
fund.

SECTION 2. Section 104 of chapter 291 of the acts of 2004 is hereby amended by adding the following sentence:- Section 103 of this act shall take effect on July 1, 2006.”.

The report was accepted.

The amendment recommended by the Governor was rejected.

Mr. DeLeo of Winthrop then moved that the bill be amended by striking out all after the enacting clause and inserting in place thereof the following:

“Section 104 of chapter 291 of the acts of 2004 is hereby amended by adding the following sentence:— Section 102 of this act shall take effect on July 1, 2006 and section 103 of this act shall take effect on June 30, 2006.”.

The amendment was adopted. Sent to the Senate for its action.

*Order.*

On motion of Mr. Finneran of Boston,—

*Ordered,* That when the House adjourns today, it adjourn to meet on Tuesday next at eleven o'clock A.M.

Next  
sitting.

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At five minutes after twelve o'clock noon, on motion of Mr. Spellane of Worcester (Mr. Donato of Medford being in the Chair), the House adjourned, to meet on Tuesday next at eleven o'clock A.M., in an Informal Session. Prayer.